



# PROPOSED RULE MAKING

**CR-102 (June 2004)**

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making**Agency:**☒ Preproposal Statement of Inquiry was filed as WSR 07-15-095 ; or☐ Expedited Rule Making--Proposed notice was filed as WSR ; or☐ Proposal is exempt under RCW 34.05.310(4).☒ Original Notice☐ Supplemental Notice to WSR☐ Continuance of WSR

**Title of rule and other identifying information:** WAC 458-20-145 Local sales and use tax. This section explains the local sales and use tax collection responsibilities of persons making retail sales in Washington.

**Hearing location(s):**

See attachment.

Copies of draft rules are available for viewing and printing on our website at: <http://dor.wa.gov/content/FindALawOrRule/RuleMaking/agenda.aspx>

**Submit written comments to:**

Name: Tim Jennrich

Address: Post Office Box 47453  
Olympia, Washington 98504-7453E-mail: [Timje@dor.wa.gov](mailto:Timje@dor.wa.gov)

Fax: (360) 586-0127

By: April 14, 2008

**Date of intended adoption:** April 30, 2008(Note: This is **NOT** the effective date)

**Assistance for persons with disabilities:** Contact Martha Thomas at (360) 725-7497 no later than 10 days before the hearing date. Deaf and hard of hearing individuals may call 1-800-451-7985 (TTY users).

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

Effective July 1, 2008, RCW 82.32.730 and RCW 82.14.490 require sellers collecting Washington's retail sales tax to implement new local retail sales tax sourcing rules. This rule clarifies the local sourcing rules applicable to the retail sale of tangible personal property, retail services, extended warranties, and leases of tangible personal property.

**Reasons supporting proposal:** Revisions are necessary to recognize legislation and promote accurate tax collection and reporting guidance, particularly with respect to the local sourcing of retail sales.

**Statutory authority for adoption:** RCW 82.32.300, 82.01.060(2).**Statute being implemented:** RCW 82.14.490 and RCW 82.32.730.**Is rule necessary because of a:**

Federal Law?

☐ Yes ☒ No

Federal Court Decision?

☐ Yes ☒ No

State Court Decision?

☐ Yes ☒ No

If yes, CITATION:

**Date****Name**

Alan R. Lynn

**Signature****Title**

Rules Coordinator

**CODE REVISER USE ONLY****OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED****DATE: March 05, 2008****TIME: 9:33 AM****WSR 08-06-094**

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

None.

**Name of proponent:** (person or organization) Department of Revenue

☐ Private  
☐ Public  
☒ Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting.....Tim Jennrich	1025 Union Ave. SE. Ste #544, Olympia ,WA	(360)570-6136
Implementation.... Alan R. Lynn	1025 Union Ave. SE. Ste #544, Olympia ,WA	(360) 570-6125
Enforcement..... Janis P. Bianchi	1025 Union Ave. SE. Ste #544, Olympia ,WA	(360) 570-6147

**Has a small business economic impact statement been prepared under chapter 19.85 RCW?**

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

Phone:

Fax:

E-mail:

☒ No. Explain why no statement was prepared.

The revised rule, as proposed, does not impose new performance requirements or administrative burdens on any small business not required by statute or the state and/or federal constitution.

**Is a cost-benefit analysis required under RCW 34.05.328?**

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

Phone:

Fax:

E-mail:

☒ No: Please explain: The proposed rule does not constitute a significant legislative rule.



STATE OF WASHINGTON  
**DEPARTMENT OF REVENUE**

**Attachment for CR-102 form  
WAC 458-20-145 Local Sales and Use Tax (Sourcing)**

**Public Hearing Locations, Dates, and Times**

<u>Locations</u>	<u>Dates</u>	<u>Times</u>
<b><u>Olympia ----</u></b>	<b><u>April 10, 2008 (Thursday) ----</u></b>	<b><u>10:00 A.M.</u></b>

Capitol Plaza Building  
1025 Union Avenue SE  
4<sup>th</sup> Floor Executive Conference Room

and

<b><u>Spokane ----</u></b>	<b><u>April 14, 2008 (Monday) ----</u></b>	<b><u>10:00 A.M.</u></b>
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Spokane Falls Community College  
3410 West Fort George Wright Drive  
Student Union Building 17, Lounge AB  
Phone: (509) 434-5162